

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALOYSIOUS WELLS,

Defendant.

CR-12-100-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 30, 2021. (Doc. 27.) Aloysious Wells (Wells) filed an objection on July 1, 2021. (Doc. 128.) The Court reviews de novo findings and recommendations to which a party objects. 28 U.S.C. § 636(b)(1).

Judge Johnston conducted a revocation hearing on June 29, 2021. (Doc. 122.) The United States accused Wells of violating his conditions of supervised release by using methamphetamine. (Doc. 119.) At the revocation hearing, Wells admitted to violating the terms of his supervised release by using

methamphetamine. (Doc. 122.) Judge Johnston found the violation Wells admitted is serious and warrants revocation of Wells' supervised release. Judge Johnston recommended Wells should be incarcerated for 9 months, with no supervised release to follow. (Doc. 127.) Wells was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 122)

Wells now opposes Judge Johnston's Findings and Recommendations, objecting to the length of custodial sentence. (Doc. 128.)

The Court has reviewed Judge Johnston's Findings and Recommendations as well as Wells' objection. The undersigned conducted a revocation hearing on July 26, 2021. (Doc. 131.) Wells and his attorney were allowed to allocute before the undersigned. (*Id.*) The Court has also considered the 18 U.S.C. § 3553(a) factors and agrees with Judge Johnston's Findings and Recommendations. Wells' violation of his conditions of supervised release represents a serious breach of the Court's trust. This violation proves serious. Judge Johnston has recommended that the Court revoke Wells' supervised release and commit him to the custody of the Bureau of Prisons for 9 months. (Doc. 127.) Judge Johnston further has recommended a term of no supervised release to follow. Accordingly,

IT IS HEREBY ORDERED that Wells' objection is denied. Judge Johnston's Findings and Recommendations, (Doc. 127) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Aloysious Wells be sentenced to the custody of the Bureau of Prisons for a term of 9 months, with no supervised release to follow.

DATED this 26th day of July, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court

